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**FILED**

OCT 23 2013

SECRETARY, BOARD OF  
OIL, GAS & MINING

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**BEFORE THE BOARD OF OIL, GAS & MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH**

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NOTICE OF AGENCY ACTION FOR AN ORDER REQUIRING MARION ENERGY TO PLUG AND RECLAIM WELLS; OR FORFEIT SURETY BOND AND AUTHORIZE THE DIVISION TO PLUG AND RECLAIM WELLS LOCATED IN TOWNSHIPS 13 AND 14 SOUTH, RANGE 7 EAST, CARBON COUNTY, UTAH; AND AN ORDER REQUIRING MARION ENERGY TO IMMEDIATELY COMPLY WITH THE NOTICE OF VIOLATION FOR THE WELLS LOCATED IN TOWNSHIPS 12, 13, AND 14 SOUTH, RANGES 7 AND 10 EAST, CARBON COUNTY, UTAH.

**THIRD SUPPLEMENTAL ORDER**

Docket No. 2011-018

Cause No. 250-02

This cause came on for hearing before the Board of Oil, Gas and Mining (the "Board") on October 23, 2013 at 9:00 a.m. in the Auditorium of the Utah Department of Natural Resources Building in Salt Lake City Utah pursuant to the approved STIPULATION TO CONTINUE HEARING TO PERMIT THE PLUGGING OF CERTAIN WELLS BY MARION SUBJECT TO CONDITIONS (July 31, 2013). Having reviewed the attached REQUEST FOR MODIFICATION OF PLUGGING ORDER FOR UTAH MINERAL STATE # 1 AND UTAH FUEL ## 1, 2, 3, 8 & 10 WELLS ("Request for Modification") submitted by Marion Energy Inc.

("Marion"), and based on the submissions of the parties and the testimony presented at the hearing, the Board approves the Request for Modification and orders that:

- (1) The Utah State Mineral # 1 well and Utah Fuel ## 1, 2 and 3 wells are removed from operation of the Board's September 10, 2012 Plugging Order and restored to Marion's control. Marion is responsible for restoring the well sites and obtaining Division or Board approval pursuant to R49-3-1.15 before requesting the return of forfeited bond monies. Any such repayment is subject to Board approval.
- (2) Suspension of the Board's September 10, 2012 Plugging Order is extended for the Utah Fuel # 10 well until the December 4, 2013 Board hearing to allow Marion time to continue to flow, test and work on that well in an effort to restore the well to long term production;
- (3) Suspension of the Board's September 10, 2012 Plugging Order is extended for the Utah Fuel # 8 well until the December 4, 2013 Board hearing to allow Marion Energy Inc. re-enter, test and work on that well in an effort to restore the well to long term production;
- (4) Marion Energy shall appear at the Board's December 4, 2013 hearing and report on the status of the Utah Fuel # 10 well and the Utah Fuel # 8 well. If Marion at that time seeks to remove either or both wells from operation of the September 10, 2012 Plugging Order, either because they have been plugged and abandoned or because they are capable of commercial production, it shall file a request prior to the hearing and provide supportive evidence at the hearing.

Dated this 23<sup>rd</sup> day of oct, 2013.

STATE OF UTAH  
BOARD OF OIL, GAS AND MINING

By:

  
Ruland Gill, Jr., Chairman

### CERTIFICATE OF SERVICE

The Undersigned herby certifies that a true and correct copy of the foregoing THIRD SUPPLEMENTAL ORDER for Docket No. 2011-018, Cause No. 250-02 to be mailed postage prepaid to the addresses shown, and emailed to the emailed addresses shown, this 29<sup>th</sup> day of October, 2013, to the following:

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